Derek A. Newman, State Bar No. 190467 derek@newmanlaw.com John Du Wors, State Bar No. 233913 john@newmanlaw.com Newman & Newman, Attorneys at Law, LLP 801 Century Park East, Suite 2400 Los Angeles, CA 90067 Telephone: (310) 385-5955 Facsimile: (310) 385-5956 Attorneys for Plaintiffs SPARKNET HOLDINGS, INC. and SPARKNET COMMUNICATIONS, L.P. UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA 11 Case No. SPARKNET HOLDINGS, INC., a Nevada corporation, 12 **COMPLAINT FOR DAMAGES** SPARKNET COMMUNICATIONS, L.P., AND INJUNCTIVE RELIEF a Nevada partnership, 13 Plaintiffs, 14 15 ROBERT PERRY, an individual, KRIS SWEETON, an individual, 16 INDIE RANCH MEDIA, INC., a 17 Colorado corporation, NETMIX BROADCASTING 18 NETWORK, INC., an unknown entity, and JOHN DOES 1-5; 19 Defendants. 20 SPARKNET HOLDINGS, INC. And SPARKNET COMMUNICATIONS, 21 L.P. (together "SparkNet" or "Plaintiff") hereby alleges for its complaint against 22 Robert Perry ("Perry"), Kris Sweeton a/k/a DJ Trance ("Sweeton"), INDIE 23 RANCH MEDIA, INC. ("Indie Ranch"), a Colorado corporation, and NETMIX 24 BROADCASTING NETWORK, INC ("NetMix"), an unknown entity, (collectively, "Defendants") upon personal information as to Plaintiff's own 26 activities, and upon information and belief as to the activities of others, as follows: 27 28 COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

I. NATURE OF ACTION

- 1. Plaintiff owns the trademarks JACK.FM for streaming of audio material on the Internet (United States Trademark Registration No. 3089418), and JACK FM for radio broadcasting services, internet broadcasting services, audio streaming over the internet, and video streaming over the internet (United States Trademark Registration No. 3009396) (together, the "Jack Marks").
- 2. Defendants are unlawfully using Plaintiff's Jack Marks in connection with internet audio streaming and radio broadcasting services, in violation of Plaintiff's senior rights in and to the Jack Marks.
- 3. Defendants provide a competing service via their website at <<netmix.fm>> at which they offer a streaming audio channel named "The Buzz."
- 4. Defendants market "The Buzz" to radio stations in direct competition with Plaintiff and its authorized licensees as featuring content "provided by our partner Jack FM."
- 5. Plaintiff brings this action because it is suffering substantial harm as a result of Defendants' infringement and Defendants' unfair business practices associated therewith. Defendants' conduct was and is calculated to cause injury to Plaintiff in California.

II. JURISDICTION

- 6. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331 because the action involves claims arising under the Lanham Act, 15 U.S.C. § 1051 et seq.
- 7. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1332 because (i) there is complete diversity of citizenship between the Plaintiff and Defendants, and (ii) the amount in controversy exceeds \$75,000.
- 8. This Court has personal jurisdiction over Defendants because Defendants conduct business in California in a systematic and continuous manner.

9. This Court also has personal jurisdiction over Defendant pursuant to the California long arm statue, Cal. Civ. Proc. Code § 410.10. By way of example, and not limitation, Defendants'specific contact with California giving rise to this action includes its intentional conduct (*e.g.*, its unlawful use of the Jack Marks in California) calculated to cause injury to Plaintiff and its licensees in California.

10. Venue for this action is proper under 28 U.S.C. § 1391 in the United States District Court for the Central District of California at Los Angeles because this is the judicial district in which a substantial part of the events or omissions giving rise to the claims alleged herein occurred, and because Defendants are subject to personal jurisdiction in this judicial district.

III. PARTIES

- 11. Plaintiff SPARKNET HOLDINGS, INC. is a Nevada corporation.
- 12. Plaintiff SPARKNET COMMUNICATIONS, L.P. is a Nevada limited partnership.
 - 13. Defendant Robert Perry is a resident of New York.
 - 14. Defendant Kris Sweeton is a resident of California.
- 15. Defendant INDIE RANCH MEDIA, INC. is a Colorado corporation and the owner of NetMix.
- 16. Defendant NETMIX BROADCASTING NETWORK, INC., is an unknown entity. On information and belief, Defendant Sweeton is the founder of NetMix and Defendant Perry is the vice president of marketing for NetMix.
- 17. Plaintiff is unaware of the true names and capacities of defendants sued herein as JOHN DOES 1-10 and therefore sues those defendants by such fictitious names. Plaintiff will amend this complaint to allege their true names and capacities when ascertained. Plaintiff is informed and believes and on that basis alleges that each of the fictitiously named defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff's injuries as herein alleged were proximately caused by such defendants. These fictitiously named

defendants, along with the named defendants, are referred to collectively herein as "Defendants."

18. Each defendant aided and abetted the actions of the other defendants set forth below, in that each defendant had knowledge of those actions, provided assistance and benefitted from those actions. Each of the defendants was the agent of each of the remaining defendants, and in doing the things hereinafter alleged, was acting within the course and scope of such agency and with the permission and consent of the other defendants.

IV. FACTS

A. Plaintiff's Trademark Use

- 19. Plaintiff, its predecessor, and their licensees and sublicensees, have used the Jack Marks exclusively and continuously in commerce in the United States since at least May 1, 2001 for radio programming services that include radio broadcasting and the streaming of Internet radio broadcasts.
- 20. Plaintiff uses the Jack Marks in connection with their unique radio programming package, which bears the brand JACK FM.
- 21. The JACK FM branded product is widely recognized as the most successful radio format launched in the past 20 years, and the Jack Marks enjoy extensive goodwill and recognition in connection with it. This nationwide recognition has resulted in extensive unsolicited media coverage.
- 22. The Jack Marks are an integral component of the JACK FM branded product, which is known for its distinctive iconoclasm and irreverence. The Jack Marks represent radio stations offering genre-bending, fresh, and continually surprising content. The Jack Marks are now recognized across the country by radio consumers and trade professionals as identifying the single source of the unique JACK FM product and the high quality programming services Plaintiff and its licensees offer.

- 23. As popular newspapers and magazines across America recognize, the Jack Marks have achieved a high level of recognition and secondary meaning among consumers who associate it with Plaintiff's JACK FM product.
 - 24. SparkNet and its predecessor in interest have licensed the Mark to radio stations throughout the U.S., including stations in Aspen/Vail, Baltimore, Chicago, Dallas, Denver, Indianapolis, Jackson (MS), Kansas City, Las Vegas, Los Angeles, Minneapolis, Nashville, New York, Salt Lake City, San Diego, and Seattle. SparkNet's negotiations with other prospective licensees continue. Based on the success of the JACK FM product associated with the Jack Marks, the number of radio stations seeking licenses to use the Jack Marks is growing rapidly, and SparkNet expects to add many new stations.

B. Defendants' Infringement of the Jack Marks

- 25. Defendant NetMix provides internet audio broadcasts at its website located at <>>. Defendant Sweeton is the creator and owner of Defendant NetMix. Defendant Perry is the vice president of marketing of Defendant NetMix.
- 26. Defendant NetMix provides several different channels of audio content, including a channel featuring classic rock referred to as "The Buzz". Defendant NetMix also syndicates and offers to syndicate its audio content, including content available on The Buzz, to commercial radio stations.
- 27. On information and belief, Defendants NetMix and Indie Media, through Defendants Sweeton and Perry, promote The Buzz by claiming that it is provided by "our partner Jack FM" and that the The Buzz's audio content is merely relabelled from JACK FM to The Buzz.
- 28. Defendants first began use of the Jack Marks years after Plaintiff began using the Jack Marks in interstate commerce.
- 29. Defendants' use of the Jack Marks is likely to cause, and actually causes, confusion among consumers regarding the source and quality of

- Defendants' services. Because consumers associate the Jack Marks with Plaintiff,
 Defendants' use of the Jack Marks causes consumers to believe that SparkNet is
- 3 the source of radio programming services offered by Defendants. Accordingly,
- 4 Defendants are unfairly diverting business away from Plaintiff.

- 30. As a result of this confusion, consumers and audio content licensees including radio stations, are associating the Jack Marks with a format that does not have the quality of the JACK FM product.
- 31. In addition, Defendants have enjoyed sales of advertising and other monetary and non-monetary benefits that they would not otherwise have obtained but for its use of the Jack Marks.
- 32. Defendants' acts alleged herein have been willful and have been taken with full knowledge of Plaintiff's rights and with the intent to appropriate benefits to which Defendants are not entitled.
- 33. Defendants' unlawful actions have caused and continue to cause irreparable injury to Plaintiff, and if those actions are not stopped the harm to Plaintiff will increase.
 - 34. Plaintiff has no adequate remedy at law.

V. FIRST CAUSE OF ACTION UNFAIR BUSINESS PRACTICES ACT CALIFORNIA BUSINESS AND PROFESSIONS CODE §§ 17200

- 35. Plaintiff incorporates the allegations set forth in paragraphs 1 through 34 above as though fully set forth herein.
- 36. California Business & Professions Code §§ 17200 et seq. Declares unfair competition unlawful and defines unfair competition as, inter alia, "any unlawful, unfair, or fraudulent business act or practice."
- 37. Defendants' unauthorized use of Plaintiff's Jack Marks to establish a business in direct competition with Plaintiff, constitutes one or more unlawful, unfair, or fraudulent business acts or practices in violation of Business &

- 38. The acts alleged herein are unfair and detrimental to Plaintiff.
- 39. By engaging in the conduct alleged herein, Defendants are violating, and unless enjoined will continue to violate, Business & Professions Code §§ 17200 et seq. as a result.
- 40. Plaintiff has been harmed as a result of Defendants' actions, and unless Defendants are enjoined from engaging further in the conduct alleged herein, Plaintiff wil continue to be harmed as a result.

VI. SECOND CAUSE OF ACTION INTERFERENCE WITH BUSINESS RELATIONS

- 41. Plaintiff incorporates the allegations set forth in paragraphs 1 through 40 above as though fully set forth herein.
- 42. Plaintiff is in the business of developing, marketing, licensing, and providing consulting services relating to audio streaming content to radio stations.
- 43. Defendants are intentionally and unfairly soliciting business from Plaintiff's customers and potential customers by offering them content they claim is "provided by Jack FM."
- 44. Defendants are using Plaintiff's Jack Marks to develop and promote a business in direct competition with Plaintiff.
- 45. Defendant Perry had actual knowledge of Plaintiff's business, business relationships, and potential business relationships at the time he took the actions described herein.
- 46. Through the actions described in paragraphs 42, 43, and 44 above, Defendants intentionally interfered with, with malice, Plaintiff's relationships with clients and potential client, and induced and caused potential clients of Plaintiff to refrain from conducting business with Plaintiff.
- 47. Plaintiff has been harmed as a result of Defendants' actions, and unless Defendants are enjoined from engaging further in the conduct alleged

Plaintiff incorporates the allegations set forth in paragraphs 1 through

Defendants are using the Jack Marks in conneciton with their offering

Defendants' use of the Jack Marks is likely to cause, and actually

herein, Plaintiff will continue to be harmed as result.

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VII. THIRD CAUSE OF ACTION TRADEMARK INFRINGEMENT 15 U.S.C. §§ 1051, et seq.

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causes, consumer confusion as to the source, sponsorship or authorization of 10 Defendants' internet broadcasting services by Plaintiff.

Defendants' actions constitute trademark infringement in violation of 51. § 32 of the Lanham Act, 15 U.S.C. § 1114, inter alia.

As a result of Defendants' conduct, Plaintiff has suffered irreparable 52. harm to its reputation and goodwill, and unless Defendants are restrained and enjoined, Plaintiff will continue to suffer this harm from Defendants' conduct.

VIII. FOURTH CAUSE OF ACTION **PURSUANT TO 15 U.S.C. § 1125**

- Plaintiff incorporates the allegations set forth in paragraphs 1 through 53. 52 above as though fully set forth herein.
- 54. Defendants' use of the Jack Marks is misleading to consumers, and is likely to cause confusion or mistake, or to deceive as to i) the affiliation, connection, or association of Defendants with Plaintiff and/or ii) the origin, sponsorship, or approval of Defendants' internet broadcasting services.
 - 55. Defendants' conduct constitutes unfair competition.
- As a result of Defendants' conduct, Plaintiff has suffered irreparable 56. harm to its reputation and goodwill, and unless Defendants are restrained and enjoined, Plaintiff will continue to suffer this harm from Defendants' conduct.

IX. FIFTH CAUSE OF ACTION TRADEMARK DILUTION PURSUANT TO 15 U.S.C. § 1125

- 57. Plaintiff incorporates the allegations set forth in paragraphs 1 through 56 above as though fully set forth herein.
 - 58. Plaintiff's Jack Marks are famous.
- 59. Defendants' use of the Jack Marks is willful, and began after Plaintiff's Jack Marks became famous. Through their conduct, Defendants are tarnishing, and are likely to tarnish, the Jack Marks.
- 60. Through their conduct, Defendants are also blurring, and are likely to blur, the distinctiveness of the Jack Marks.
 - 61. Therefore, Defendants are diluting the Jack Marks.
- 62. As a result of Defendants' conduct, Plaintiff has suffered irreparable harm to its reputation and goodwill, and unless Defendants are restrained and enjoined, Plaintiff will continue to suffer this harm from Defendants' conduct.

X. SIXTH CAUSE OF ACTION FALSE DESIGNATION OF ORIGIN PURSUANT TO 15 U.S.C. § 1125(a)

- 63. Plaintiff incorporates the allegations set forth in paragraphs 1 through 62 above as though fully set forth herein.
- 64. Plaintiff's Jack Marks are distinctive marks that are associated with Plaintiff and exclusively identify Plaintiff's services.
- 65. Defendants have used and continue to use the Jack Marks in connection with goods or services, in commerce, in a manner that is likely to cause confusion, mistake, or deception as to the origin, sponsorship, or approval of such goods or services.
- 66. As a result of Defendants' conduct, Plaintiff has suffered, and unless Defendants are restrained and enjoined, Plaintiff will continue to suffer this harm from Defendants' conduct.

XI. SEVENTH CAUSE OF ACTION TRADEMARK COUNTERFEITING PURSUANT TO 15 U.S.C. § 1114(1)

- 67. Plaintiff incorporates the allegations set forth in paragraphs 1 through 66 above as though fully set forth herein.
- 68. Defendants' use in commerce of Plaintiff's Jack Marks or indistinsguishable variations thereof is likely to cause confusion, mistake, or to deceive.
- 69. The above-described acts of Defendants constitute trademark counterfeiting pursuant to 15 U.S.C. § 1114(1), entitling Plaintiff to relief.
- 70. Defendants have unfairly profited from the infringing actions alleged herein.
- 71. By reason of Defendants' acts, Plaintiff has suffered damage to the goodwill associated with Plaintiff's Jack Marks.
- 72. Defendants' activities have irreparably harmed and, if not enjoined, will continue to irreparably harm the general public, which has an interest in being free from confusion, mistake, and deception.
- 73. By reason of Defendants' acts, Plaintiff's remedy at law is insufficient to compensate them for the injuries inflicted by Defendants. Accordingly, Plaintiff is entitled to preliminary and permanent injunctive relief.
- 74. By reason of Defendants' use of the Jack Marks alleged herein, Plaintiff is entitled to recover Defendants' profits, actual damages, and the costs of this action pursuant to 15 U.S.C. § 1117.
- 75. Alternatively, by reason of Defendants' willful use of the Jack Marks, Plaintiff is entitled to recovery statutory damages under 15 U.S.C. § 1117, on election by Plaintiff, in an amount of up to \$1,000,000 for each counterfeit use of the Jack Marks.
- 76. This is an exceptional case entitling Plaintiff to an award of its attorneys' fees pursuant to 15 U.S.C. § 1117.

XII. EIGHTH CAUSE OF ACTION COMMON LAW UNFAIR COMPETITION

- 77. Plaintiff incorporates the allegations set forth in paragraphs 1 through 76 above as though fully set forth herein.
- 78. Defendant engaged in the use of the Jack Marks for the purpose of deceiving the public.
 - 79. Defendants are Plaintiff's business rivals.
- 80. Defendants' use of the Jack Marks has improperly induced the consumption of Defendants' services conferring on Defendants benefits properly belonging to Plaintiff.
- 81. Defendants have, through their unfair competitive practices, induced the public to believe that the services Defendant offers are the services of Plaintiff.
- 82. Consequently, Defendants have thereby appropriated to themselves the value of the reputation which Plaintiff acquired for its own services.
- 83. Defendants' conduct as alleged herein constitutes unfair competition against Plaintiff.
- 84. As a result of Defendants unfair competition, Plaintiff has suffered, and unless said conduct is restrained and enjoined will continue to suffer, harm to their business, including loss of revenue, customers, and goodwill.

XIII. RELIEF REQUESTED

WHEREFORE, Plaintiff prays for the following relief:

- 1. <u>Injunction</u>. That, pursuant to 15 U.S.C. § 1116, *inter alia*, the Court issue a preliminary and permanent injunction restraining and enjoining Defendants, and their agents, servants, employees, attorneys, and related companies and all persons acting for, with, by, through or under them, and each of them, from:
 - a. using in any manner the trademarks JACK FM, JACK.FM, and any other term or terms likely to cause confusion therewith;

- b. using the trademark JACK FM, JACK.FM, and any other term or terms likely to cause confusion therewith, in a manner likely to create the erroneous belief that Defendants' goods or services are authorized by, sponsored by, licensed by or in any way associated with Plaintiff; and
- c. otherwise engaging in any other acts or conduct that would cause consumers erroneously to believe that Defendants' goods or services are somehow sponsored by, authorized by, licensed by, or in any way associated with Plaintiff.
- Compensatory Damages in Amount of Plaintiff's Loss. That
 Defendants be required to pay to Plaintiff all damages sustained.
- 3. <u>Compensatory Damages in Amount of Defendants' Gain</u>. That Defendants be required to account for and pay to Plaintiff all monetary benefits obtained by reason of its unlawful acts alleged herein.
- 4. <u>Statutory Damages</u>. That Defendants be required to pay statutory damages under 15 U.S.C. § 1117(c), on election by Plaintiff, for each counterfeit use of the Jack Marks, in an amount of up to \$100,000 for each counterfeit use, and that that amount be increased to up to \$1,000,000 for each counterfeit use of the Jack Marks due to the willful nature of Defendants' counterfeiting.
- 5. <u>Punitive Damages</u>. That Defendants be required to pay punitive damages.
- 6. <u>Attorneys' Fees and Costs</u>. That the Court award Plaintiff its reasonable attorneys' fees and costs pursuant to 15 U.S.C. § 1117(a), *inter alia*.
- 7. <u>Treble Damages</u>. That the Court award Plaintiff three times the amount of its actual damages pursuant to 15 U.S.C. § 1117(a), *inter*

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UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned	d to District Judge	George King and	the assigned	discovery
Magistrate Judge is Paul L. Abra	ms			

The case number on all documents filed with the Court should read as follows:

2:CV08- 8510 GHK (PLAx)

All discovery related motions	should be noticed on the calendar	of the Magistrate Judge
=========	NOTICE TO COUNSEL	
A copy of this notice must be served w filed, a copy of this notice must be served.	rith the summons and complaint on all def ved on all plaintiffs).	endants (if a removal action is
Subsequent documents must be filed a	at the following location:	
[X] Western Division 312 N. Spring St., Rm. G-8 Los Angeles, CA 90012	Southern Division 411 West Fourth St., Rm. 1-053 Santa Ana, CA 92701-4516	Eastern Division 3470 Twelfth St., Rm. 134 Riverside, CA 92501
Failure to file at the proper location will resu	It in your documents being returned to you.	

Derek A. Newman, State Bar No. 190467 John Du Wors, State Bar No. 233913 Newman & Newman, Attorneys at Law, LLP 801 Century Park East, Suite 2400 Los Angeles, CA 90067 (310) 385-5955

HNITED STATES DISTRICT COURT

CENTRAL DISTRIC	CT OF CALIFORNIA
SPARKNET HOLDINGS, INC., SPARKNET COMMUNICATIONS, L.P. PLAINTIFF(S) V. ROBERT PERRY, KRIS SWEETON, INDIE RANCH MEDIA, INC., NETMIX BROAD CASTING NETWORK, INC., JOHN DOES 1-5 DEFENDANT(S).	CV08-8510 GHK PLAX SUMMONS
must serve on the plaintiff an answer to the attached ☑ c counterclaim □ cross-claim or a motion under Rule 1 or motion must be served on the plaintiff's attorney, De	ns on you (not counting the day you received it), you complaint amended complaint amended complaint the federal Rules of Civil Procedure. The answer received Newman, whose address is, whose address is

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

CV-01A (12/07) SUMMONS Derek A. Newman, State Bar No. 190467 John Du Wors, State Bar No. 233913 Newman & Newman, Attorneys at Law, LLP 801 Century Park East, Suite 2400 Los Angeles, CA 90067 (310) 385-5955

CV-01A (12/07)

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Dated:	By:Clerk
[Use 60 days if the defendant is the United States or a United States 60 days by Rule 12(a)(3)].	as agency, or is an officer of employee of the United States. Allowed

SUMMONS

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA CIVIL COVER SHEET

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yourself, provide same.) Derek Newman and John Du Wors, Newman & Newman, Attorney LLP, 801 Century Park East, Suite 2400, Los Angeles, CA. 90067 385-5955										BY		A
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AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

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(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Attorneys (If Known)														
Derek Newman and John Du Wors, Newman & Newman, Attorneys at Law LLP, 801 Century Park East, Suite 2400, Los Angeles, CA 90067 (310) 385-5955														
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VI. CAUS	SE OF ACTION (Cite	the U.S	S. Civil Statute under whice	h vou s	re filing and write a	brief sta	ntement of cause	Do m	ot ci	te inriedictional eta	tutes unles	ss divers	ity)	
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15 U.	S.C. § 1125 - Tradem			n you a	and mining unite with	t offer su	dement of cause	. Do 11	iot ci	ic jurisuictional sta	tutes unite		ity.)	
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FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

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VIII(a). IDENTICAL CASES: Has If yes, list case number(s):	this action been pro	eviously filed in this court and dismissed, remanded or closed? Vo Yes
VIII(b). RELATED CASES: Have If yes, list case number(s):	any cases been pre	eviously filed in this court that are related to the present case? 🗹 No 🗆 Yes
□ B. 0	Arise from the same Call for determination For other reasons w	se and the present case: e or closely related transactions, happenings, or events; or on of the same or substantially related or similar questions of law and fact; or could entail substantial duplication of labor if heard by different judges; or atent, trademark or copyright, and one of the factors identified above in a, b or c also is present.
IX. VENUE: (When completing the	following informati	ion, use an additional sheet if necessary.)
		outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides. byees is a named plaintiff. If this box is checked, go to item (b).
County in this District:*		California County outside of this District; State, if other than California; or Foreign Country
		SPARKNET HOLDINGS, INC., Nevada SPARKNET COMMUNICATIONS, L.P., Nevada
		outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides. oyees is a named defendant. If this box is checked, go to item (c).
County in this District:*		California County outside of this District; State, if other than California; or Foreign Country
		ROBERT PERRY, New York; KRIS SWEETON, Los Angeles; INDIE RANCH MEDIA, INC., Los Angeles; NETMIX BROADCASTING NETWORK, INC., Los Angeles
•	•	outside of this District; State if other than California; or Foreign Country, in which EACH claim arose. on of the tract of land involved.
County in this District:*		California County outside of this District; State, if other than California; or Foreign Country
		Los Angeles
* Los Angeles, Orange, San Bernar Note: In land condemnation cases, us		entura, Santa Barbara, or San Luis Obispo Counties e tract of land/involved
X. SIGNATURE OF ATTORNEY (OR PRO PER):	December 23, 2008
Notice to Counsel/Parties: The or other papers as required by law	e CV-71 (JS-44) Cov. This form, approv	ivil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings wed by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)
Key to Statistical codes relating to So	cial Security Cases	
Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security

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All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security

All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42

Act, as amended. (42 U.S.C. 405(g))

Act, as amended.

U.S.C. (g))

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